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DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

“HYBRID OPTICAL COMMUNICATION NETWORKS”

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

_____ is attached hereto

X was filed on July 10, 2003 as Application Serial No. 10/617,082 and amended on _____ (if applicable).

_____ was filed as PCT international application No. _____, on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	Yes	No
-------------------	--------------------	---------------------------------	-----	----

_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	Yes	No
-------------------	--------------------	---------------------------------	-----	----

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(filing date)	status-patented, pending, abandoned)
<u>10/161,458</u>	<u>MAY 31, 2002</u>	<u>PENDING,</u>
<u>which is a continuation of the priority claims on the attached sheet.*</u>		

PCT Applications designating the United States:

_____	_____	_____
(PCT Appl. No.)	(U.S.S.N.)	(status-patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

_____	_____	_____
Application Number	Filing Date	Status

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Apr 28 04 03:33p

p.5

Full name of first inventor: Steven B. LeebInventor's signature: Steven B. Leeb Date: April 28, 2004Residence: 7 Prospect Street Belmont MA 02478Citizenship: USAPost Office Address: Same**Full name of second inventor: Roderick T. Higman**Inventor's signature: Roderick T. Higman Date: April 29, 2004Residence: 8 Durant Road Natick MA 01760Citizenship: USAPost Office Address: Same**Full name of third inventor: Al-Thaddeus Avestruz**Inventor's signature: Al Thaddeus Avestruz Date: 29 April 2004Residence: 3 Limer St #2 ARLINGTON, MA 02476Citizenship: USPost Office Address: Same**Full name of fourth inventor: E. C. Lupton**Inventor's signature: E. C. Lupton Date: 4/29/04Residence: 3 Belmont St Charlestown MA 02129Citizenship: USAPost Office Address: Same**Full name of fifth inventor: Deron Jackson**

Inventor's signature: _____ Date: _____

Residence: _____

Citizenship: _____

Post Office Address: Same**Full name of sixth inventor: George Hovorka**

Inventor's signature: _____ Date: _____

Residence: _____

Citizenship: _____

Post Office Address: Same

Full name of first inventor: Steven B. Leeb

Inventor's signature: _____ Date: _____

Residence: _____

Citizenship: _____

Post Office Address: Same**Full name of second inventor:** Roderick T. Hinman

Inventor's signature: _____ Date: _____

Residence: _____

Citizenship: _____

Post Office Address: Same**Full name of third inventor:** Al-Thaddeus Avestruz

Inventor's signature: _____ Date: _____

Residence: _____

Citizenship: _____

Post Office Address: Same**Full name of fourth inventor:** E. C. Lupton

Inventor's signature: _____ Date: _____

Residence: _____

Citizenship: USAPost Office Address: Same**Full name of fifth inventor:** Deron JacksonInventor's signature: Deron Jackson Date: 4/28/04Residence: 2228 Quail Bluff Lane, San Jose, CA 95121Citizenship: U.S.Post Office Address: Same**Full name of sixth inventor:** George Hovorka

Inventor's signature: _____ Date: _____

Residence: _____

Citizenship: _____

Post Office Address: Same

3582114v1

3

Post Office Address: Same

Full name of second inventor: Roderick T. Hinman

Inventor's signature: _____ Date: _____

Residence: _____

Citizenship: _____

Post Office Address: Same

Full name of third inventor: Al-Thaddeus Avestruz

Inventor's signature: _____ Date: _____

Residence: _____

Citizenship: _____

Post Office Address: Same

Full name of fourth inventor: E. C. Lupton

Inventor's signature: _____ Date: _____

Residence: _____

Citizenship: USA

Post Office Address: Same

Full name of fifth inventor: Deron Jackson

Inventor's signature: _____ Date: _____

Residence: _____

Citizenship: _____

Post Office Address: Same

Full name of sixth inventor: George Hovorka

Inventor's signature: [Signature] Date: 4/29/04

Residence: BOSTON, MA

Citizenship: USA

Post Office Address: Same

3582114v1

3

ATTORNEY DOCKET NUMBER: 2002147-0018
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*Continuation Sheet to Declaration

This application is a CIP of 10/161,458 05/31/2002
which is a CON of 09/291,709 04/14/1999 PAT 6,400,482
which claims benefit of 60/081,866 04/15/1998
and claims benefit of 60/108,287 11/13/1998
and claims benefit of 60/115,374 01/11/1999
This application 10/617,082
is a CIP of 10/201,378 07/23/2002
which claims benefit of 60/308,486 07/25/2001
and claims benefit of 60/311,037 08/09/2001
and claims benefit of 60/326,277 10/01/2001
and claims benefit of 60/338,912 11/26/2001
and claims benefit of 60/337,491 11/26/2001
and claims benefit of 60/341,191 12/07/2001
and claims benefit of 60/353,253 02/01/2002
and claims benefit of 60/367,393 03/25/2002
and is a CON of 09/770,806 01/26/2001 PAT 6,426,599
which claims benefit of 60/191,725 03/24/2000
and is a CON of 09/291,706 04/14/1999 PAT 6,198,230
which claims benefit of 60/081,866 04/15/1998
and claims benefit of 60/108,287 11/13/1998
and claims benefit of 60/115,374 01/11/1999.



RECORDATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Atty. Docket No.: 2002147-0020

To the Honorable Commissioner of Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

- (a) Elmer C. Lupton (b) Steven B. Leeb
(c) Roderick T. Hinman (d) Al-Thaddeus Avestruz
(e) Deron Jackson (f) George Hovorka

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other :

Execution Date: (a) 4/29/04 (b) 4/28/04
(c) 4/29/04 (d) 4/29/04
(e) 4/28/04 (f) 4/28/04

2. Name and address of receiving party(ies)

Name: Talking Lights, LLC

Internal Address:

Street Address: 28 Constitution Road

City: Boston

Country: USA ZIP: 02129

Additional name(s) & address(es) attached? ☐ Yes ☒ No

COPY

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s):

B. Patent No.(s):

10/617,082

Additional numbers attached? YES

NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Stacy L. Blasberg

Internal Address: Choate, Hall & Stewart

Street Address: Exchange Place
53 State Street

City: Boston State: MA ZIP: 02109

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41)\$40.00

☒ Enclosed

☐ Authorized to be charged to deposit account (if underpayment)

8. Deposit account number: 03-1721

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Stacy L. Blasberg

Name Of Person Signing

Reg. No. 52,625

Signature

April 30, 2004

Date

Total number of pages including cover sheet, attachments, and document: 6

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313

Mail documents to be recorded with required cover sheet information to:
Mail Stop Assignment Recordation Services, Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

April 30, 2004

Diana Ruy

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **E. C. Lupton, et al.**, hereby

Sells, assigns and transfers to the following entity as ASSIGNEE:

Talking Lights, LLC, having a place of business at **28 Constitution Road, Boston, Massachusetts 02129**, their successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, his entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent filed **July 10, 2003, Serial Number 10/617,082** (authorization is hereby given by the undersigned to Choate, Hall & Stewart to fill in the serial number awarded to the patent application), entitled:

"HYBRID OPTICAL COMMUNICATION NETWORKS"

and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agrees that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own names; and when requested, without charge to but at the expense of said ASSIGNEE, agrees to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to him relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions, and all applications for patents and all patents on said inventions, in said ASSIGNEE.


Hereby requests the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenants with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by him, and that full right to convey the same as herein expressed is possessed by him.

Apr 28 04 03:33p

P.2

Dated: 4/29/04


Elmer C. Lupton

Dated: April 28 2004


Steven B. Leeb

Dated: April 29, 2004


Roderick T. Hinman

Dated: 29 April 2004


Al-Thaddeus Avestruz

Dated: _____

Deron Jackson

Dated: _____

George Hovorka

Dated: _____

Elmer C. Lupton

Dated: _____

Steven B. Leeb

Dated: _____

Roderick T. Hinman

Dated: _____

Al-Thaddeus AvestruzDated: 4/28/04
Deron Jackson

Dated: _____

George Hovorka

Hybridassignment1.DOC

UNION: _____

Roderick T. Hinman

Dated: _____

Al-Thaddeus Avstruz

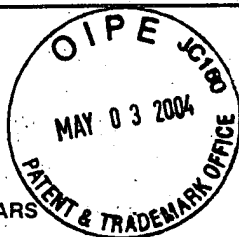
Dated: _____

Deron Jackson

Dated: 4/28/04


George Hovorka

FLEET BANK N.A.
OPERATING ACCOUNT
BOSTON, MA



CHOATE HALL & STEWART
EXCHANGE PLACE
BOSTON, MA 02109-2891
(617) 248-5000

CHECK NUMBER: **338074**
CHECK DATE: 04/30/2004
VENDOR NUMBER: 11598

5-13
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Comm of Patents & Trademarks

Alexandria, VA 22313-1450

William P. Kelly, P.C.
TWO SIGNATURES REQUIRED IN EXCESS OF \$20000

⑈ 338074 ⑈ ⑆ 011000138⑆ 0005422720 ⑈

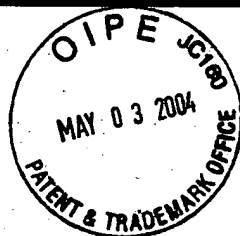
Date: April 30, 2004

Applicant(s): Leeb, *et al.*

Serial No.: 10/617,082

Filing Date: July 10, 2003

Title: "HYBRID OPTICAL COMMUNICATION NETWORKS"



The Stamp of the United States Patent and Trademark Office placed hereon shall indicate the receipt of the following items:

1. Recordation Form Cover Sheet (1 pg.);
2. Executed Assignment (4 pgs.);
3. Check in the amount of \$40.00; and
4. Return-Receipt Postcard.

Attorney: SLB/ruiz

Attorney Docket No.: 2002147-0020



ATTORNEY DOCKET NUMBER: 2002147-0020
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leeb, *et al.* Examiner: Not Yet Assigned
Serial No.: 10/617,082 Art Unit: 2821
Filed: July 10, 2003
For: HYBRID OPTICAL COMMUNICATION NETWORKS

COMMISSIONER FOR PATENTS
P. O. BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

APPOINTMENT OF ATTORNEY


The undersigned individuals authorized to sign on behalf of the assignee in the above-referenced case hereby appoint:

Sam Pasternack, Reg. No. 29,576
Donald W. Muirhead, Reg. No. 33,978
Brenda Herschbach Jarrell, Reg. No. 39,223
Anne. E. Saturnelli, Reg. No. 41,290
Kevin Tormey, Reg. No. 41,351
Elizabeth E. Nugent, Reg. No. 43,839
Theresa A. Devlin, Reg. No. 45,361.
Valarie B. Rosen, Reg. No. 45,698
C. Hunter Baker, Reg. No. 46,533
Monica Gerber, Reg. No. 46,724
Elijah Cocks, Reg. No. 47,499
Nadège M. Lagneau, Ph.D., Reg. No. 51,908
Charles Lyon, Ph.D., Limited Recognition Under 37 CFR §10.9(b)
Stacy Blasberg, Reg. No. 52,625

as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Sam Pasternack, Esq., Choate, Hall & Stewart,
Exchange Place, 53 State Street, Boston, Massachusetts 02109.

TALKING LIGHTS, LLC

By: 
Title: President + CEO
Date: 11/6/03



ATTORNEY DOCKET NUMBER: 2002147-0020
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leeb, *et al.*
Serial No.: 10/617,082
Filed: July 10, 2003
For: HYBRID OPTICAL COMMUNICATION NETWORKS

COMMISSIONER FOR PATENTS
P. O. BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION
(37 CFR 3.73(b))

The assignee of the entire right, title and interest of inventors to Talking Lights, LLC hereby seeks to take action in the Patent and Trademark Office in the above matter.

Ownership by the assignee is established as follows:

_____ documents already recorded in the PTO on _____.

Reel _____ Frame _____; and

 X documents separately submitted for recordal to the PTO (a copy of these documents is attached).

STATEMENT

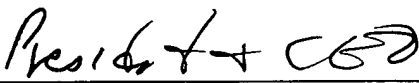
I, a person authorized to sign on behalf of the assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of our knowledge and belief, title is mine/ours as assignees who seek to take further action.



Signature of Authorized Person



Name of Authorized Person



Title of Authorized Person